

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOSEPH JOHNSON,

Plaintiff,

-against-

STARWOOD HOTELS & RESORTS
WORLDWIDE, LLC,

Defendant.

23-CV-1156 (AS)

ORDER

ARUN SUBRAMANIAN, United States District Judge:

On March 7, 2025, the Court granted defendant’s motion to dismiss the complaint, and the Clerk of Court entered a final judgment closing this case. *See* Dkt. 139, 140. Plaintiff Joseph Johnson filed a motion to amend the judgment pursuant to Federal Rule of Civil Procedure 59(e). Dkt. 146.¹ Courts may alter or amendment a judgment “to correct a clear error of law or prevent manifest injustice.” *Munafo v. Metro. Transp. Auth.*, 381 F.3d 99, 105 (2d Cir. 2004) (citation omitted). “Rule 59(e) covers a broad range of motions, and the only real limitation on the type of the motion permitted is that it must request a substantive alteration of the judgment, not merely the correction of a clerical error, or relief of a type wholly collateral to the judgment.” *Schwartz v. Liberty Mut. Ins. Co.*, 539 F.3d 135, 153 (2d Cir. 2008).

It’s not clear from the motion what relief Johnson seeks. Neither Johnson’s motion nor his accompanying declaration, Dkt. 147, provide any explanation. Johnson’s declaration simply requests that the Court “read the attachments” that are “[s]eparate from this motion.” *Id.* at 2. The Court assumes that Johnson is referring to the attachments to his complaint, which the Court already reviewed in deciding the motion to dismiss. Because Johnson’s motion doesn’t identify a clear error of law or explain how amending the judgment is necessary to prevent a manifest injustice, the motion is DENIED.

¹ In the same motion, Johnson requests a new trial. Dkt. 146. This request is denied given that there was no trial in this case. *Id.*

The Clerk of Court is respectfully directed to terminate the motion at Dkt. 146.

SO ORDERED.

Dated: April 24, 2025
New York, New York

A handwritten signature in black ink, appearing to read 'Arun Subramanian', is written over a horizontal line.

ARUN SUBRAMANIAN
United States District Judge